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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EVERETT REED,

Plaintiff,

-against-

MARK ROYCE, et al.,

Defendants.

7:21-CV-8002 (NSR)

ORDER

NELSON S. ROMÁN, United States District Judge:

Everett Reed (“Plaintiff”), presently incarcerated at Green Haven Correctional Facility, commenced this *pro se* action under 42 U.S.C. § 1983 for violation of his constitutional rights. On July 29, 2022, the New York State Office of the Attorney General (the “Office of Attorney General”) filed a response to the Court’s *Valentin* Order of Service. (ECF No. 29.) In response, however, Plaintiff never amended his complaint, despite being granted an extension to do so. (ECF No. 18.) Instead, Plaintiff twice wrote the Court indicating he wanted to assert allegations against the Office of Attorney General. (ECF Nos. 30, 32.) Both times, the Court advised the *pro se* Plaintiff that to the extent he wished to assert allegations against the Office of Attorney General, the *pro se* Plaintiff’s remedy is to commence a separate action asserting such allegations or to notify the proper agency. (ECF Nos. 31, 33.)

On May 16, 2024, the Court issued an Order to Show Cause for want of prosecution in this § 1983 *pro se* case and directed the *pro se* Plaintiff to respond by June 6, 2024. (ECF No. 34.) *Pro se* Plaintiff’s response letter was filed on June 11, 2024, wherein he stated that all of his papers were taken and destroyed and/or discarded. (ECF No. 35.) *Pro se* Plaintiff currently states that he cannot continue with the case. Accordingly, the Court dismisses the action without

prejudice to recommence in light of *pro se* Plaintiff's representation that he does not wish to continue to prosecute this case. The Clerk of Court is kindly directed to mail a copy of this Order to *pro se* Plaintiff, show proof of service on the docket, and terminate the case.

Dated: September 30, 2024
White Plains, New York

SO ORDERED:

A handwritten signature in dark ink, appearing to read 'Nelson S. Román', is written over a horizontal line.

NELSON S. ROMÁN
United States District Judge